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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**  
**\* \* \***

NAPLES POLARIS, INC., a  
Nevada Limited Liability Company,

Case No. 3:13-CV-00511-RCJ-VPC

Plaintiff,  
vs.

**CASE MANAGEMENT  
REPORT**

VAL PETERSON, an individual; EUGENE  
CLEVELAND CANEPA, an individual; and  
WESTERN PROPERTIES OF NEVADA, LLC,  
a Nevada Limited Liability Company, UNITED  
STATES DEPARTMENT OF THE TREASURY,  
INTERNAL REVENUE SERVICE

Defendants.

Interpleader Defendant Eugene Cleveland Canepa and Interpleader Defendant Western Properties of Nevada, LLC, through their undersigned counsel, hereby submit the following Case Management Report pursuant to this Court's December 18, 2013 Minute Order:

**A. Case Management Report:**

**1. Short Statement of the Case.**

This is an Interpleader action filed by Plaintiff, Naples Polaris, LLC. Plaintiff states they possess \$300,000. However, Plaintiff Naples Polaris, Inc., does not know which of the Interpleader Defendants have legal rights to said funds.

**2. Principle factual and Legal Disputes.**

Plaintiff named four Interpleader Defendants, including Val Peterson, Eugene Canepa, Western Properties of Nevada LLC, and United States Department of Treasury, Internal Revenue Service. As of this date, the only timely answering party is Eugene Canepa and Western Properties

1 of Nevada, LLC. Therefore, at this time, there are no principle factual or legal disputes as no other  
2 party has answered or responded. While no other party has timely answered or appeared, Plaintiff's  
3 Interpleader Complaint clearly alleges the dispute is which party has the legal rights to the \$300,000.  
4 Defendant Val Peterson filed a late answer on February 17, 2014 and an out of state creditor of Mr.  
5 Peterson's has filed a Motion to Intervene on February 22, 2014, appearing to be without a perfected  
6 judgment in the State of Nevada.

7 **3. Jurisdiction.**

8 This Court has subject matter jurisdiction over this Interpleader action pursuant to 28 U.S.C. §  
9 1335 because the funds are of a value in excess of \$500.00 and there is minimal diversity in that two  
10 or more of the defendant-claimants are diverse.

11 This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1346  
12 because the Internal Revenue Service, a United States government agency, is a party to the action.

13 Venue is proper pursuant to 29 U.S.C. § 1132(e)(2), and 28 U.S.C. § 1391(b), because a  
14 defendant resides in this district and a substantial part of the events giving rise to this action occurred  
15 in this district.

16 **4. Parties Not Served.**

17 Interpleader Defendant Eugene Canepa has been served. Pursuant to the Court Docket,  
18 Interpleader Defendant United States Department of the Treasury, Internal Revenue Service was  
19 served on September 20, 2013. Interpleader Defendant Val Person was served on September 26,  
20 2013. Interpleader Defendant Western Properties of Nevada, LLC was served on October 4, 2013.

21 All parties have been served.

22 **5. Whether additional parties expect to be added or whether pleadings need to be**  
23 **amended.**

24 A Motion to Intervene has been filed by Oscar Renteria, Denise Renteria and the Renteria  
25 Family Trust. Defendant Canepa is not opposing this Motion to Intervene, and no other parties have  
26 answered or otherwise appeared. If the Court grants said Motion to Intervene, these parties are  
27 expected to be added. As noted above, there have been two late filings herein, Val Peterson's late  
28 filed answer and an out of state creditor of his, Trench Shoring Services ("TTS").

1       **6. A list of contemplated motions.**

2       Motion to Strike and Objection to Late Filed Answer; and,  
3       Opposition to Motion to Intervene (TTS)

4       **7. Pending motions which may affect the parties' ability to comply with a case**  
5       **management order.**

6       At this time, Defendants Eugene Canepa and Western Properties of Nevada, LLC (which has  
7       been dissolved and of which Mr. Peterson received his final business interest return at that time) are  
8       the only timely answering or appearing parties. Therefore, this case management report is completed  
9       for these two parties. Additionally, as set for the above, Oscar Renteria, Denise Renteria and the  
10      Renteria Family Trust has filed a Motion to Intervene, which has not be decided by this Court.

11      **8. Related Cases.**

12      In re: French Quarter, debtor, Case No. BK-07-51126-GWZ, Chapter 11, United States  
13      Bankruptcy Court, District of Nevada; which, in large part, has been settled with the assistance of the  
14      Honorable Judge Zive, of the United States Bankruptcy Court. It is understood that part of that  
15      settlement provides for Mr. Renteria to receive, subject to any IRS lien, any funds from this matter  
16      that Canepa and/or his interest in Western Properties of Nevada, LLC is entitled to.

17      **9. Further discussion on discovery.**

18      At this time, none.

19      **10. Issues related to electronic discovery.**

20      At this time, none.

21      **11. Issues of privilege and work product.**

22      At this time, none.

23      **12. The Court has not approved a discovery plan and scheduling order, and the**  
24      **parties propose the following:**

25           a.     **Deadline for the completion of fact discovery:** 180 days from the date of the  
26      first answering Interpleader defendant: **April 22, 2014.**

27           b.     **Deadline for amending the pleadings and adding parties:** 90 days prior to  
28      the close of discovery: **January 22, 2014-** reiterating the tardiness of the late filings of both Val

Peterson and TTS.

b. **Expert disclosure:** 90 days prior to the discovery cut-off: January 22, 2014.  
Rebuttal Expert: 30 days after the initial expert disclosure: **February 21, 2014.**

c. **Deadline for filing dispositive motions:** 30 days after the discovery cut-off date: **May 22, 2014.**

d. **Deadline for filing the joint pretrial order:** 30 days after the deadline set for filing dispositive motions: **June 21, 2014.**

**13. Jury Request, and whether it is contested.**

At this time, a jury request has not been filed.

**14. Estimated length of Trial.**

At this time, given the absence of any other timely party, the length of trial cannot be estimated. However, based on what is currently known herein, 3 days.

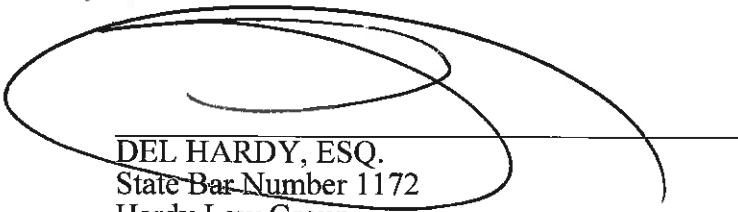
**15. Settlement.**

All parties must perform additional discovery in advance of settlement discussions.

**16. Any other matter.**

None.

DATED this 24 day of February, 2014.



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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies, under penalty of perjury, that I am an employee in the office of Hardy Law Group, Del Hardy, Esq. and that pursuant to LCR 47-11, I electronically filed on this date, a true and correct copy of **CASE MANAGEMENT REPORT**, with the Clerk of the Court, using the CM/ECF system, which will automatically e-serve the same on the attorney(s) of record set forth below:

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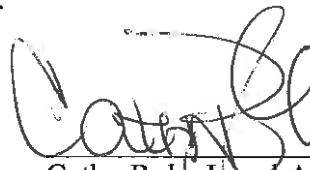
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DATED this ~~25~~ day of February 2014.



Cathy Ryle, Legal Assistant to  
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